STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

AMEREN TRANSMISSION COMPANY OF ILLINOIS)	
)	
Petition for a Certificate of Public Convenience and)	
Necessity, pursuant to Section 8-406.1 of the Illinois)	
Public Utilities Act, and an Order pursuant to Section 8-)	Docket No. 12-0598
503 of the Public Utilities Act, to Construct, Operate and)	
Maintain a New High Voltage Electric Service Line and)	
Related Facilities in the Counties of Adams, Brown,)	
Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton,)	
Macon, Montgomery, Morgan, Moultrie, Pike,)	
Sangamon, Schuyler, Scott and Shelby, Illinois.)	

AMEREN TRANSMISSION COMPANY OF ILLINOIS' MOTION TO STRIKE CLARK COUNTY PRESERVATION COMMITTEE'S OBJECTION TO AMEREN TRANSMISSION COMPANY OF ILLINOIS' PROPOSED CASE MANAGEMENT ORDER AND MOTION TO ADOPT ADAMS COUNTY PROPERTY OWNERS PROPOSED SCHEDULE

Ameren Transmission Company of Illinois (ATXI), pursuant to Rule 200.190 of the Illinois Commerce Commission's (Commission) Rules of Practice and Procedure, 83 Ill. Adm. Code § 200.190, respectfully moves to strike the untimely "Objection" to ATXI's proposed Case Management Schedule and "Motion to Adopt Adams County Property Owners [sic] Proposed Schedule" filed by the Clark County Preservation Committee on December 12, 2012 (hereafter, the CCPC Objection). The CCPC Objection has been filed out of time and has been submitted without leave of the Commission. It should be stricken.

In support of its response, ATXI states as follows:

1. On November 30, 2012, ATXI filed a Motion requesting that the Commission enter a case management plan and schedule to govern this proceeding. ATXI attached to its motion a proposed Case Management Order which establishes a case schedule, an efficient discovery process and other procedures that promote certainty, clarity and efficiency in the administration of this proceeding and allow the Commission to enter a final order within the

applicable statutory period.

- 2. At the December 3, 2012 prehearing conference in this proceeding, the Administrative Law Judges (ALJs) established a schedule for filing responses to the motion and replies thereto, as is within their discretion under Rule 200.190, 83 Ill. Adm. Code § 200.190(e). Responses were to be filed no later than December 10, 2012. Replies to the responses were to be filed no later than December 13, 2012.
- 3. On December 12, 2012, two days after the deadline to do so, CCPC filed the CCPC Objection and served it on ATXI. The CCPC did not seek leave from the Commission to file its Objection out of time. As such, the filing violates the ALJs' December 3, 2012 scheduling ruling, is improper and should be stricken.
- 4. The ALJs should not condone such disregard of their rulings. This is especially true in this proceeding, where the large number of parties demands strict adherence to the case schedule and filing deadlines established by the ALJs in order to ensure efficiency in the administration of the proceeding. Indeed, the CCPC's out of time filing further highlights the need for the Case Management Order which ATXI proposed with its November 30, 2012 motion.
- 5. Additionally, and notwithstanding the fact that the CCPC has not been granted leave to intervene, Section 200.200 of the Commission's Rules requires an intervener to accept the status of the record as it exists at the time of intervention. See 83 III. Adm. Code § 200.200(e). The CCPC appeared at the prehearing conference and so was aware of the ALJs' scheduling ruling and the dates for responses to ATXI's motion. The CCPC should not be allowed to now offer objections on its own schedule. It has offered no excuse or explanation for its late filing, nor sought leave from the Commission to file late.

6. For the reasons stated herein, the CCPC Objection should be stricken from the record of proceeding. However, if the ALJs find the CCPC Objections should stand, ATXI respectfully reserves right to respond to the CCPC Objection with 24 hours of the ALJs' ruling on the instant motion.

WHEREFORE, Ameren Transmission Company of Illinois respectfully requests that the Illinois Commerce Commission strike the untimely Clark County Preservation Committee's Objection to Ameren Transmission Company of Illinois' Proposed Case Management Order and Motion to Adopt Adams County Property Owners Proposed Schedule, and for such other further relief as the Commission deems just and reasonable.

Dated: December 13, 2012

Respectfully submitted,

Ameren Transmission Company of Illinois

/s/ Albert D. Sturtevant

One of their Attorneys

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CERTIFICATE OF SERVICE

I, Albert D. Sturtevant, an attorney, certify that on December 13, 2012, I caused a copy of the foregoing *Ameren Transmission Company of Illinois' Motion to Strike Clark County*Preservation Committee's Objection to Ameren Transmission Company of Illinois' Proposed

Case Management Order and Motion to Adopt Adams County Property Owners Proposed

Schedule to be served by electronic mail to the individuals on the Commission's Service List for Docket 12-0598.

/s/ Albert D. Sturtevant

Attorney for Ameren Transmission Company of Illinois